

Habeas Corpus For Lionel Hart

ATTORNEY DAVIS GETS AN ORDER FROM JUDGE DE BOLT ORDERING THE PRISONER PRODUCED FORTHWITH IN THE CIRCUIT COURT, WITH A VIEW TO SECURING HIS RELEASE ON BAIL.

If Lionel Hart can raise \$2500 bail he will be granted his liberty pending his trial for malicious burning in the second degree in attempting to destroy the oil warehouse at Kakaako.

This was the bail fixed this afternoon by Judge De Bolt after hearing arguments by Hart's attorney George A. Davis and Attorney General Hemenway. Davis had asked for \$500 or \$1,000 bail; Hemenway for \$5,000. Judge De Bolt split the difference and made it \$2,500.

Attorney Davis stated that his client would attempt to raise the amount asked.

The moment that the court had fixed the amount of the bail, Davis was on his feet demanding that his client be protected from interviews with the police or any other person. "There have been interviews and confessions enough," declared Davis, "and I want my client protected. This court now has entire jurisdiction in the matter before it, which is simply an attempt to do something which was not accomplished. If the police, or the Attorney General or anybody else thinks that there are other charges to be made against my client let them make them in proper form, but don't let anyone try any sweating processes any more. The first person I hear of doing so I give warning right here that I shall have cited at once for contempt."

Davis made a strong plea for Hart.

"If some man should take a shot at Charlie Hustace on the street," he remarked in opening, "and failed to hit him, he could not be held for anything more serious than unlawful use of firearms. Its the same in this case. Hart might have burned down an old ramshackle warehouse rented by the Territory at an exorbitant rate from the Bishop Estate; he might have even destroyed the town. Instead however he only destroyed about two gallons of oil and scorched the woodwork."

Judge John T. De Bolt early this afternoon signed an order for the production forthwith of the body of Lionel R. Hart, Attorney George A. Davis having sued out a writ of habeas corpus with the idea, it is said, of having Hart admitted to bail on the arson charge.

The writ is directed to the High Sheriff of the Territory and he is commanded to transfer Hart from the Oahu Jail to the court room. Hart appears before Judge De Bolt at 2 o'clock this afternoon.

When Hart charged with malicious burning, in that he set fire to the kerosene warehouse, no bail was fixed and it is understood that Davis wants him admitted to bail, and that not only should bail be fixed on the malicious burning charge, but on any other charge which may be brought against him. Davis, since he has been

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MULDOON CURED ROOT NO CHANCE FOR HART



SECRETARY ROOT OUT FOR A RIDE WITH MULDOON.

WHITE PLAINS, Sept. 8.—After having been a patient at the institution kept by William Muldoon for three weeks and a half Secretary Root left there this evening with his son, Elihu Root, Jr. and his nephew, Orin Root, who came for him in an automobile.

Secretary Root went to New York where he will stay over night with his nephew, and tomorrow he will go to Oyster Bay to have a conference with the President in relation to his forthcoming trip to Mexico, where he will be the guest of President Diaz. Before leaving the Muldoon institute, the Secretary shook hands with about 25 of the patients there and assured them that he had an enjoyable time and regretted leaving.

Mr. Muldoon said that Mr. Root had gained 12 pounds during his stay.

WILL BE BIG FIGHT SET FIRE TO SCHOOL

W. J. LOWRIE'S SUIT AGAINST HAWAIIAN COMMERCIAL FOR \$400,000 DAMAGES.

The big damage case in which W. J. Lowrie is suing H. P. Baldwin and others largely interested in the Hawaiian Sugar and Commercial Company for \$400,000, which he claims to have been damaged by the action of members of the company in causing him to lose his position as manager of the company's plantation, came up for the first time today in Judge Robinson's court, but was set over until next Monday, when the motion to amend the petition, as relates to Helen Castle Mead, one of the defendants, will be argued. The court also extended the time in which the defendants may file their answers until next Tuesday, as far as relates to J. B. Castle, George P. Castle and Catherine Castle Westervelt.

The case is expected to be one of the hardest fought cases which have ever been up in the Territorial courts, and all members of the local bench and bar are looking forward to it with a good deal of interest.

The plaintiff is represented by Judge R. D. Stillman who arrived here last week to prosecute the case, and A. G. M. Robertson of the local fraternity.

For the defense a strong array of legal talent is preparing for the fray. Besides Castle & Withington, Kinney & Marx were this morning admitted into the case in behalf of some of the defendants.

as at other islands ports outside of Honolulu.

The steamship company's offer now under consideration by the governor is to lease the wharf and make the necessary improvements itself without using the \$20,000.

RESTORER'S TRIP

The cableship Restorer will not get away today for Guam. She will probably sail tomorrow about noon to repair the cable break. She is taking aboard 1,000 tons of coal at the railway wharf and packing cable into her tanks from the Iwilei cable. Electrician Dodd will accompany the expedition. The Restorer, after she picks up the cable, will, through Midway, be in touch with Honolulu.

SACHS' MILLINERY OPENING.

The Ladies of Honolulu are cordially invited to attend the Fall Millinery opening at Sachs' Thursday, Friday and Saturday, Sept. 26, 27 and 28th; in addition to our own creations, the showing will include the latest New York styles and the famous Gage hats.

AGREEABLY SURPRISED.

Many sufferers from rheumatism have been agreeably surprised at the prompt relief afforded by applying Chamberlain's Pain Balm. For sale by all dealers, Benson, Smith & Co., agents for Hawaii.

SET FIRE TO SCHOOL

INCENDIARISM CAUSES THE DESTRUCTION OF SCHOOLHOUSE AT KAILUA, NORTH KONA.

Superintendent Babbitt of the Board of Public Instruction, received word this morning of the destruction of the schoolhouse at Kailua, North Kona, by fire on last Sunday night. The report stated that the origin of the fire was without question incendiary.

The building burned is a two-room school in very fair condition, and valued at probably \$2000, although this sum does not include a good deal of personal property which was also burned, nor the amount which will be required to replace it.

Superintendent Babbitt has some theories about the matter, but declines at the present time to say what they are. The letter reporting the fire stated that there had been some threats some time ago to burn the school. The fire was discovered about 11 o'clock at night, and appeared to have been started inside the building, and as there were no matches or inflammables in the place there is no other way to account for the fire except by incendiary.

Since the fire the school has been held in the Chinese school building, and is going on as usual, under some inconveniences.

KALANIANA'OLE LEAGUE TROUBLES

The Kalaniana'ole League is not yet over its troubles, as a letter sent to the president of the Chinese Aloha Club will show. The letter is written by Ho Tong, the former captain of the Alohas who has since been freed. Ho, who is well known among the "sporty element" of the Chinese element, is said to have advanced the initiation fee of the Chinese Alohas to join the league and from what can be seen by his letter, is considering the proposition of putting the share of the Alohas in the Kalaniana'ole League up for auction.

Honolulu, Sept. 26, 1907.
Hon. H. N. Henry, President, Chinese Aloha Club.

Dear Sir—I, the undersigned do hereby notify you that the Chinese Aloha Jr. in the Kalaniana'ole B. B. League has now overdrawn the undersigned the sum of seventeen dollars (\$17), if the same is not paid before 12 noon of Friday, Sept. 27, 1907, I, the undersigned will sell all the interest of the Chinese Aloha Jr. in the Kalaniana'ole B. B. League to the highest bidder.

I am, yours truly,
(Signed) HO TONG.

For prompt, accurate work, ring up Stenographer J. A. Combs, 855 Kaahumanu. Tel. 206.

Fine Job Printing, Star Office.

"DIAMOND HEAD CHARLEY" DIES

"Diamond Head Charlie" Peterson, for nearly a quarter of a century the faithful lookout at Diamond Head, died at 2 o'clock this afternoon at the Queen's Hospital of chronic nephritis.

The funeral will take place at 3:30 o'clock tomorrow afternoon. Miss Meredith Peterson, stenographer at the government nursery on King street, his daughter, is the only relative in Honolulu.

BRIBE MONEY CAME FROM THE U. S. MINT

(Associated Press Cable to The Star.)

SAN FRANCISCO, September 27.—Superintendent Frank A. Leach of the Mint testified today in the Ford bribery trial. He told of the withdrawal from the Mint of money by Mullally and Ford and of seeing the former give Ruef \$2000.

M. V. Halsey of the Pacific States States Telephone Company is still ill and his trial has been postponed again for a week. A continuance of six months is asked.

INCENDIARISM IN CHINA

HONGKONG, September 27.—Hundreds of houses and many boats have been destroyed by fire at Wuchow. It is feared that the loss of life is heavy. The conflagration was due to incendiaryism, due to the establishment of interior customs stations at Wuchow.

THE CRUISERS

SAN FRANCISCO, September 27.—A reception will be given this afternoon in honor of the cruiser squadron, which arrived this morning from Honolulu.

TEN KILLED IN WRECK

HARRISBURG, Pa., September 27.—A collision occurred today on the Pennsylvania road. Ten persons were killed and several injured.

SIERRA TO LEAVE THIS AFTERNOON

Oceanic S. S. Sierra sails from the Oceanic wharf at 5 o'clock this evening and there is a rush on the wharf to get the freight aboard before Bandmaster Berger and his musicians and the crowd get on the wharf, for after the band starts to play and the farewell crowd thickens there is little or no chance of the work being done. Music does not encourage work and the crowd gets in the way.

The Sierra takes a good cabin list and many in the steerage, including the 51 Spanish and Portuguese deportees in charge of Henry Vida and M. A. Silva. In the way of cargo she carries 21,000 sacks of sugar, 2000 bags of rice, 300 cases of green pineapples, 5000 cases of canned pineapples, 6000 bunches of bananas and a lot of other miscellaneous freight, taking altogether some 2,300 tons.

The Sierra will not come down again, the Alameda being scheduled to sail from San Francisco for Honolulu the day after the Sierra is supposed to get to San Francisco, October 5.

The best cup of Hawaiian Coffee in the city. New England Bakery and Cafe.



Look
Feel
Wear

This No. 469 tan double sole Blucher Bal is value all over. Solid Goodyear welt and broadbreak toe.

PRICE \$4.50.
MANUFACTURERS' SHOE CO., LIMITED.

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New Suitings

For the fall. Prices the
Lowest in the city

FAULTLESS CUTTING

Best of Workmanship

White Labor only employed in our
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ALAKEA STREET.

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**BIG FOUR
ARRIVED**

SAN FRANCISCO, September 27.—The cruisers West Virginia, Colorado, Maryland and Pennsylvania arrived here this morning, as was expected from their wireless reports.

TRY APRICOT NOUGET.

It's the very latest addition to the specialties at Alexander Young Cafe.

DELICIOUS PIES AND CAKES. Candy fresh every day. New England Bakery.

BEST SOY IN MARKET.

Bummel brand Soy is recognized by all as the premier soy imported to Hawaii. K. Yamamoto, wholesale merchant, Kailua street, is sole agent for this brand. Telephone 399.

A MATTER OF HEALTH

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**BAKING
POWDER**

**Absolutely Pure
HAS NO SUBSTITUTE**

A Cream of Tartar Powder,
free from alum or phosphoric acid

ROYAL BAKING POWDER CO., NEW YORK.

**Look
Feel
Wear**

WELL

This No. 469 tan double sole Blucher Bal is value all over. Solid Goodyear welt and broadbreak toe.

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